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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: George Baran

Appln. No.: 10/607,246

Filed: June 25, 2003

For: NEBULIZING CATHETER SYSTEM AND  
METHODS OF USE AND MANUFACTURE

Examiner: Unknown

Art Unit: 3761

Attorney Docket No: 6298/432

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

## TRANSMITTAL

Sir:

## Attached is/are:

- ☒ Fifth Supplemental Information Disclosure Statement; Form PTO 1449  
☒ Return Receipt Postcard

## Fee calculation:

- ☒ No additional fee is required.  
☐ Small Entity.  
☐ An extension fee in an amount of \$\_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).  
☐ A petition or processing fee in an amount of \$\_\_\_\_\_ under 37 C.F.R. § 1.17(\_\_\_\_).  
☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			X100=			x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=			+\$360=	
					Total	\$		Total	\$

## Fee payment:

- ☐ A check in the amount of \$\_\_\_\_\_ is enclosed.  
☐ Please charge Deposit Account No. 23-1925 in the amount of \$\_\_\_\_\_. A copy of this Transmittal is enclosed for this purpose.  
☐ Payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2038 is attached).  
☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

Date

May 25, 2006

Kent E. Genin (Reg. No. 37,834)

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**FIFTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §§1.97-1.98, and more particularly in accordance with 37 C.F.R. §1.97(b), Applicant hereby cites the following reference(s):

**U.S. PATENTS**

<u>Patent No.</u>	<u>Date</u>	<u>Inventor</u>
2,857,915	10/1958	Sheridan
3,370,112	02/1968	Pierre
3,561,444	02/1971	Boucher
3,634,924	01/1972	Blake et al.
5,031,613	07/1991	Smith et al.
5,313,939	05/1994	Gonzalez

Applicant is enclosing Form PTO-1449 (one sheet), along with a copy of each listed reference which is required under 37 C.F.R. §1.98(a)(2). Applicant respectfully requests the Examiner's consideration of the above reference(s) and entry thereof into the record of this application.

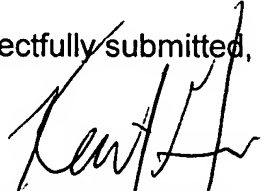
By submitting this Statement, Applicant is attempting to fully comply with the duty of candor and good faith mandated by 37 C.F.R. §1.56. As such, this Statement is not

intended to constitute an admission that any of the enclosed references, or other information referred to therein, constitutes "prior art" or is otherwise "material to patentability," as that phrase is defined in 37 C.F.R. §1.56(a).

Applicant has calculated no fee to be due in connection with the filing of this Statement. However, the Director is authorized to charge any fee deficiency associated with the filing of this Statement to a deposit account, as authorized in the Transmittal accompanying this Statement.

Respectfully submitted,

May 25, 2006  
Date

  
\_\_\_\_\_  
Kent E. Gerlin (Reg. No. 37,834)



FORM PTO-1449	SERIAL NO. 10/607,246	CASE NO. 6298/432
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (use several sheets if necessary)	FILING DATE June 25, 2003	GROUP ART UNIT 3761
APPLICANT(S): G. Baran		

## REFERENCE DESIGNATION

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	F1	2,857,915	10/1958	Sheridan		
	F2	3,370,112	02/1968	Pierre		
	F3	3,561,444	02/1971	Boucher		
	F4	3,634,924	01/1972	Blake et al.		
	F5	5,031,613	07/1991	Smith et al.		
	F6	5,313,939	05/1994	Gonzalez		

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.